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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,447	10/02/2003	Bruce Williams	10000-02 GRA-01A	7057
58898	7590	02/27/2007		
LEMPIA FORMAN LLC 223 W. JACKSON BLVD. SUITE 620 CHICAGO, IL 60606			EXAMINER GARRETT, ERIKA P	
			ART UNIT	PAPER NUMBER
			3636	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/27/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/676,447	WILLIAMS ET AL.	
	Examiner	Art Unit	
	Erika Garrett	3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 43-46 and 59-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-46 is/are allowed.
- 6) ☒ Claim(s) 59-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 59-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Sedlack (4,909,574). Sedlack discloses the use of a base (2) having a seating surface; an armrest (10) connected to the base on a side of the seating surface; wherein the armrest is adjustable along a straight line between a first and second height positions and wherein a majority of movement of armrest between the first and second height positions is vertically toward and away from the seating surface; wherein the armrest includes a connecting portion that slidably fits over a corresponding receiving portion of the base; wherein the armrest includes holes (22) for receiving protrusions from the receiving portion of the base; and wherein the child seat is configured for placement on a seat of the vehicle. In regards to claim 60, further comprising the armrest adjustable along a straight line in a vertical direction generally perpendicular to the seating surface; (the seating surface is curved) the armrest is adjustable perpendicular at least a portion of the seating surface (see figure 3); the armrest includes a tab (25) that fits into a receiving portion of the base; the child seat is configured for placement on a seat of the vehicle; and the child seat has a belt path configured to receive and locate relative to the child lapbelt of a restraint system of the vehicle. In regards to claim 61, further

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comprising the armrest is adjustable in a vertical direction and wherein armrest movement is substantially upward and downward relative to the seating surface; the armrest is movable over a receiving portion of the base; the receiving portion of the base includes a flexible tab and protrusions; the child seat is configured to receive and located relative to the child a lapbelt of a restraint system of the vehicle. In regards to claim 62, further comprising the armrest is adjustable between first and second position substantially toward and away from the seating surface; the armrest includes a connecting portion that fits over a corresponding receiving portion of the base; the receiving portion includes a flexible tab (36) and a protrusion (25) pm the flexible tab; the connecting portion includes first and second slots to receive the protrusion, the first and second slots corresponding to the first and second positions, and the child seat is configured for placement on a seat of the vehicle. In regards to claims 63 and 64, the child seat has a belt path configured to received and locate relative to the child seat a lapbelt of restraint system of the vehicle.

### ***Allowable Subject Matter***

3. Claims 43-46 are allowed.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 43-46 and 59-64 have been considered but are moot in view of the new ground(s) of rejection.


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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika Garrett whose telephone number is 571-272-6859. The examiner can normally be reached on Monday-Thursday 9:00 a.m.-5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on 571-272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EG   
February 15, 2007

  
DAVID R. DUNN  
PRIMARY EXAMINER